REMARKS

Claims 1 and 4 have been amended. No new matter has been introduced with these amendments, all of which are supported in the application as originally filed. Claims 3, 6 - 7, and 24 - 25 have been cancelled from the application without prejudice. Claims 1 and 4 remain in the application.

Applicants are _not_ conceding that the subject matter encompassed by the claims as presented prior to this Amendment is not patentable over the art cited by the Examiner, as claim amendments and cancellations in the present application are directed toward facilitating expeditious prosecution of the application and allowance of the currently-presented claims at an early date. Applicants respectfully reserve the right to pursue claims, including the subject matter encompassed by the claims as presented prior to this Amendment and additional claims, in one or more continuing applications.

I.   Objection to the Specification

Paragraph 4 of the Office Action dated March 4, 2008 (hereinafter, "the Office Action") states that the Specification is objected to as failing to provide proper antecedent basis for the claimed subject matter, referring in particular to Claim 25. Claim 25 has been cancelled from the application without prejudice, rendering this objection moot.

II.   Rejection under 35 U. S. C. §103(a)

Paragraph 6 of the Office Action states that Claims 1, 4, 6, and 24 - 25 are rejected under

35 U.S.C. §103(a) as being unpatentable over U. S. Patent Publication 2005/0004911 A1 to

Goldberg et al. (hereinafter, "Goldberg") in view of U. S. Patent 5,844,554 to Geller et al

(hereinafter, "Geller"). Paragraph 7 of the Office Action states that Claims 3 and 7 are rejected

under 35 U.S.C. §103(a) as being unpatentable over Goldberg in view of Geller and further in

view of U. S. Patent 6,098,065 to Skillen et al. (hereinafter, "Skillen"). Claims 3, 6 - 7, and 24 -

25 have been cancelled from the application without prejudice, rendering the rejection moot as to

those claims. This rejection is respectfully traversed with regard to remaining Claims 1 and 4 as

currently presented.

At the outset, Applicants respectfully note that the Office Action analysis comprises

citations to particular paragraphs of the cited references, with <u>no indication</u> of which <u>portions</u> of

those paragraphs are being relied upon to teach the precise claim limitations of Applicants' claim

language and <u>no indication</u> of <u>how those cited paragraphs are being interpreted</u> by the Examiner.

Such an analysis fails to provide Applicants with assistance in identifying those teachings being

relied upon, leaving Applicants to guess how the Examiner is interpreting the claim language and

which specific teachings are being relied upon. For example, para. **[0084]** of Goldberg is cited

with regard to the "displaying" element of Applicants' claim language recited on lines 34 - 38 of

Claim 1. This "displaying" claim element recites 7 different nouns, and the cited para. **[0084]**

discusses a large number of items presented in **Fig. 7**, and Applicants are provided with no

guidance as to which of those items are supposedly equated to any of the 7 different nouns in

Applicants' claim element. Thus, Applicants respectfully submit that any continuing disagreement

between Applicants and the Examiner as to whether or not a particular claimed feature is

disclosed in the references is a direct result of a lack of specificity in the Office Action.

Applicants' independent Claim 1, as currently presented, recites:

> A computer-implemented method of programmatically building queries, comprising:
> programmatically building a query user interface for building a query command to query content of a Web page that lacks an already-existing query user interface, further comprising:
> programmatically determining a current context of a user of a device on which the Web page is rendered, the current context comprising at least one of: an identification of the user; a role of the user; the device used by the user; a geographical location of the user; and preferences of the user;
> programmatically determining a plurality of content values specified in the Web page;
> programmatically determining, based on the specified content values, a plurality of content types corresponding thereto;
> using the programmatically-determined current context and at least one of the programmatically-determined content types to consult a lookup component, thereby obtaining at least two query parameter names for displaying on the programmatically-built query user interface;
> programmatically identifying, for each of the obtained query parameter names, at least one selectable query qualifier corresponding thereto, wherein each of the selectable query qualifiers indicates a particular comparison to be performed if subsequently comparing selected ones of the content values to that query parameter name;
> programmatically identifying, for each of the obtained query parameter names, at least one selectable parameter value corresponding thereto;
> programmatically building a plurality of query parameters by associating, with each of the obtained query parameter names, each of the at least one programmatically-identified selectable query qualifiers corresponding thereto and each of the at least one programmatically-identified selectable parameter values corresponding thereto; and
> displaying on the query user interface, for each of the programmatically-built query parameters, the obtained query parameter name, a first selector for selecting one of the at least one query qualifiers associated therewith and a second selector for selecting at least one of the at least one parameter values associated therewith; and
> accepting input from the user to build the query command to query the Web page, further comprising:
> accepting, from the user for each of the displayed query parameter

names, one of the associated query qualifiers selected by the user with the first
selector and at least one of the associated parameter values selected by the user
with the second selector; and

                      programmatically building the query command to specify, for each
of the displayed query parameter names, the selected query qualifier and each of
the at least one selected parameter values. (emphasis added)

Applicants find no teaching in Goldberg or Geller of (at least) the above-underlined

recitations of Claim 1, as will now be discussed.

Referring to lines 3 - 7 of Claim 1, which recite "... building a query user interface for

building a query command to <u>query a Web page</u> that <u>lacks an already-existing query user

interface</u>" (emphasis added), Applicants respectfully submit that Goldberg discusses <u>using</u> the

"query editor" shown in the cited **Fig. 7,** but does <u>not</u> pertain to <u>programmatically building</u> that

query editor (assuming, *arguendo,* that such query editor could be equated to Applicants' claimed

programmatically-built query user interface) or to building a query command to query a <u>Web

page</u>. Instead, Goldberg's query editor is apparently used for querying a <u>database</u>. See, for

example, lines 5 - 6 of para. **[0027]**, stating "In the present example, the query is to be executed

against data from a database.". Applicants' specification discusses querying a Web page on Page

7, for example; see the paragraph that begins "The sample Web page 100 depicted in Fig. 1

illustrates content against which a user of the present invention might advantageously issue a

query." and the following paragraph, which discusses enabling a user to subscribe to Web page

content.

Applicants find no teaching in either Goldberg of the "programmatically determining a

current context ..." claim language recited at lines 9 - 12 of Claim 1 or the "programmatically determining a plurality of content values specified in the Web page" claim language recited at lines 13 - 14 of Claim 1. Accordingly, Applicants also respectfully submit that the cited para. **[0035]**, lines 3 - 5 of Goldberg does not teach the "using the programmatically-determined current context and at least one of the programmatically-determined content types to consult a lookup component ..." as recited in lines 17 - 20 of Claim 1 (emphasis added).

With regard to the "programmatically identifying, for each of the obtained query parameter names, at least one selectable query qualifier corresponding thereto ..." claim language recited on lines 21 - 25 of Claim 1 (emphasis added), Applicants respectfully submit that the cited para. **[0041]** of Goldberg does not teach these recitations. Para. **[0041]** discusses placement of filter icons, stating (at lines 1 - 4) that the "position at which a filter [icon] is placed determines how the corresponding condition is combined with the already-specified conditions of the query". Notably, a user places the filter icon. (See, for example, the final sentence of para. **[0041]**, discussing the "ghost image lines" that are provided as visual hints to a user performing a drag operation.) Furthermore, the filters are described as providing "AND" and "OR" operations, which are distinct from Applicants' claimed "a particular comparison to be performed if subsequently comparing selected ones of the content values to that query parameter name" (Claim 1, lines 23 - 25, emphasis added). That is, an "AND" or "OR" operation is not used when comparing content values to a query parameter name; instead, as described in para. **[0041]**, the "AND" and "OR" are used for determining "how the corresponding condition is combined with the already-specified conditions of the query" (para. **[0041]**, lines 1 - 4, emphasis added).

With regard to the "displaying on the query user interface ..." claim language recited on lines 34 - 38 of Claim 1, Applicants respectfully submit that the cited para. **[0084]** of Goldberg does not teach these recitations. The Office Action fails to indicate which particular parts of the cited para. **[0084]** are being relied upon for teaching this "displaying ..." claim element. For example, the Office Action fails to indicate which part of para. **[0084]** is relied upon for teaching the "query parameter name", the "first selector", the "at least one query qualifiers", the "second selector", and the "at least one parameter values".

Applicants also respectfully submit that Goldberg does not teach the "accepting input from the user to build the query command to query the <u>Web page</u>", as recited on lines 38 - 39 of Claim 1 (emphasis added). Instead, Goldberg's query editor is apparently used for querying a database, as discussed above.

Applicants respectfully submit that these deficiencies of Goldberg are not cured by Geller or Skillen. Accordingly, even if (*arguendo*) Goldberg could be combined with Geller and/or Skillen and one of skill in the art was motivated to make such combination, the proposed combination would not yield the claimed invention.

Furthermore, Applicants respectfully note the <u>admission</u> in the Office Action that Goldberg does <u>not</u> teach "programmatically" doing certain actions. See Office Action, p. 5, lines 5 and lines 13 - 15. In addition, the "programmatically" term has been <u>omitted</u> in the Office Action when analyzing <u>each</u> of the following claim elements:

- "programmatically building ..." on lines 3 - 7;

- "programmatically determining ..." on lines 13 - 14;

- "programmatically determining ..." on lines 15 - 16;

- "using ... the programmatically-determined content types ..." on lines 17 - 20;

- "programmatically identifying ..." on lines 21 - 25;

- "programmatically building ..." on lines 29 - 32; and

- "displaying ... each of the programmatically-built query parameters ..." on lines 34 - 38.

See Office Action, beginning at p. 3, line 3 of paragraph 6 and continuing through p. 4, line 15.

The Office Action states, on p. 5, lines 8 - 12 that "It would have been obvious ... to combine the _Goldberg et al_ with the decision of _in re Venner_ ... and Leapfrog Enterprises, Inc., v. Fischer [sic] Price, Inc., ... because automating a process is obvious" (emphasis original). Applicants respectfully disagree with this assertion and with this characterization of Leapfrog Enterprise, Inc. v. Fisher Price, Inc., and request that the Examiner cite a legal authority that provides this conclusion as stated in the Office Action when contrasting a _manual, user-performed_ technique (as described in Goldberg) to a _programmatic_ technique (as claimed by Applicants).

In view of the above, Applicants respectfully submit that independent Claim 1 is not rendered obvious in view of Goldberg and Geller. Dependent Claim 4 is deemed patentable by virtue of (at least) the patentability of independent Claim 1 from which it depends. The Examiner is therefore respectfully requested to withdraw the §103 rejection of all claims as currently

presented.

IV. Conclusion

Applicants respectfully request reconsideration of the pending rejected claims, withdrawal

of all presently outstanding rejections, and allowance of all remaining claims at an early date.

Respectfully submitted,

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